

22. Since Pacific's Yellow Page net revenues have already been taken into account in setting Pacific's basic residential rates, taking such net revenues into account again when setting the price for the UNE residential loop would amount to improper double-counting.

23. If Pacific's Yellow Page net revenues were to be taken into account in setting the price for the UNE residential loop, it would unfairly benefit new entrants who rely on UNEs at the expense of new entrants who rely in whole or in part on their own facilities.

24. If Pacific's Yellow Page net revenues were to be taken into account in setting the price for the UNE residential loop, there would be no way of guaranteeing that residential ratepayers would benefit from this.

25. Adoption of the AT&T/MCI proposal for a \$2.64 surcredit on loops financed through the CHCF-B would violate § 252(d)(1)(A) of the Telecommunications Act, because it would result in loop UNE prices that are not based on the cost of providing such loops.

26. The CHCF-B funds that AT&T/MCI propose to use to finance the \$2.64 loop surcredit have already been used in D.98-07-033 to offset permanently certain Pacific rates.

27. The principal flaw in the AT&T/MCI proposal for a \$2.64 surcredit applicable to the loop UNE is that it would convert an explicit subsidy intended to benefit residential customers in high-cost areas into an implicit subsidy that purchasers of UNEs could use to compete in low-cost areas.

28. The principal flaw in the Pacific proposal described in FOF 44 is that, because most of the costs of providing basic residential service in high-cost areas are accounted for by the loop, the Pacific proposal would result in Pacific's receiving the lion's share of CHCF-B funding in most cases, even though the

stated objective of the proposal is to allocate CHCF-B funding equitably between Pacific and a CLEC that provides service using some of its own facilities.

29. AT&T/MCI and Pacific may wish to raise the proposals described in FOFs 43 and 44 in the upcoming triennial review of Universal Service funding issues, after they have dealt with the flaws identified above.

30. The adopted TELRIC cost for End Office Switching Trunk Port Termination should be used as a proxy for the DS-1 line side port.

31. The AT&T/MCI proposal to develop a TELRIC cost for the DS-3 entrance facility *without* equipment, by backing the costs of remote ~~and central office~~ ~~circuit~~ equipment out of the adopted TELRIC cost for a DS-3 entrance facility *with* equipment, is reasonable and should be adopted.

32. The AT&T/MCI proposal for developing a TELRIC cost for unbundled loops provided over digital loop carrier and delivered to the entrant as a digital facility, by using a combination of fiber and fiber electronics from the adopted TELRIC costs for the DS-1 loop and the DS-1 EISCC, is reasonable and should be adopted.

33. The adopted TELRIC costs for STP transport and transport elements that could serve as SS7 links, should be used to derive TELRIC costs for SS7 links and link mileage.

34. The adopted TELRIC costs for the 4-wire entrance facility should be used to set the UNE price of the 4-wire entrance facility.

35. The adopted TELRIC costs for the DS-1 EISCC should be used as a proxy for the DCS cross-connect, and the multiplexing cost of a single DCS channel should be set at ~~one twenty-fourth~~ of the adopted TELRIC for the DS-1 multiplexing function.

36. For the time being, it is reasonable to set UNE prices for LIDB queries and 800 database queries by using the adopted TSLRIC costs for such queries.

37. Pacific should be required to derive and submit, pursuant to the G.O. 96-A advice letter process, TELRIC costs for LIDB queries and 800 database queries. This advice letter submission should be subject to protest.

38. Prices for the elements described in COLs 30-36 should be set at the costs found reasonable therein plus a ^{21%} ~~19%~~ markup to cover shared and common costs.

39. Pacific should be allowed to recover reasonable loop conditioning costs when it furnishes digital-capable copper loops to carriers that provide ADSL service, and those carriers also provide their own electronics for the loop.

~~40. When Pacific furnishes an ISDN line to a carrier that provides ADSL service, additional loop conditioning charges are not appropriate, because the necessary electronics are included within the price of the ISDN line.~~

41. Pacific's proposal to recover the loop conditioning charges for copper loops specified in its ADSL tariff on file with the FCC should not be adopted, because the loop conditioning charges in that tariff are based on embedded costs rather than forward-looking costs.

42. Until the Commission can adopt TELRIC-based costs for loop conditioning, Pacific should be allowed to recover ~~as conditioning charges for providing a digital-capable copper loop, the non-recurring charge applicable to an ISDN line.~~

43. In *AT&T-Iowa*, the Supreme Court held that the issue raised by the ILECs about the opportunities for arbitrage between purchasing UNEs and purchasing resale service is of minimal concern, because the universal service subsidies included in resale rates must be phased out pursuant to § 254 of the Telecommunications Act, so any opportunities for arbitrage will be only temporary.

44. In *AT&T-Iowa*, the Supreme Court held that FCC Rule 315(b) represents a reasonable construction of § 251(c)(3) of the Telecommunications Act, which is

ambiguous on the question of whether leased network elements may or must be separated, because Rule 315(b) is rooted in § 251 (c)(3)'s nondiscrimination requirement.

45. In view of the reinstatement of FCC Rule 315(b) in *AT&T-Iowa*, Pacific and other ILECs are obliged to provide to requesting telecommunications carriers, network elements that are already pre-assembled or combined on a "platform" that the ILEC uses itself.

46. Under FCC Rule 315(b), an ILEC that provides a UNE platform to a requesting telecommunications carrier is not entitled to a "recombination" fee or "regluing" charge for doing so.

47. In a case where a telecommunications carrier requests an ILEC to provide it with an existing UNE platform (i.e., the "as is migration" situation), the appropriate compensation the ILEC should receive is the sum of the service order charges adopted herein applicable to each UNE included in the platform.

48. In the case where a requesting telecommunications carrier purchases separate unbundled network elements and requests the ILEC to combine them, the appropriate compensation the ILEC should receive for performing this combining work is the sum of the stand-alone non-recurring charges adopted herein for each of the UNEs being combined.

49. In the case where a telecommunications carrier initially requests an ILEC platform (i.e., the "as is migration" situation), and then later requests that additional features or services be combined with the platform, the appropriate compensation the ILEC should receive for combining the additional features or services with the platform is the sum of the stand-alone non-recurring charges adopted herein for each additional feature or service ordered from the ILEC.

~~50. Notwithstanding the current uncertainty surrounding the status of FCC Rules 315(c) (f), this Commission has authority under Pub. Util. Code~~

~~§ 709.2(c)(1) to order ILECs to combine separate UNEs upon the request of a telecommunications carrier, or to order an ILEC to combine additional UNEs with an existing UNE platform.~~

51. The Supreme Court's decision in *AT&T-Iowa*, which reinstates FCC Rule 315(b), does not prohibit the continued performance of Pacific's obligation as described in FOFs 49-50 to continue providing UNE combinations.

52. If Pacific were to continue performing its obligation as described in FOFs 49-50 to provide UNE combinations to AT&T, while refusing to provide UNE combinations to other CLECs with which it has entered into interconnection agreements on the ground that the list of network elements it must offer on an unbundled basis is uncertain (pending the completion of FCC proceedings to reconsider Rule 319), such refusal would give rise to a claim of unlawful discrimination under §§ 251(c)(3), 251(c)(2) and 252(i) of the Telecommunications Act.

53. This Commission has power under Resolution ALJ-174 to reform interconnection agreements for the purpose of preventing or eliminating unlawful discrimination.

54. Owing to the situation created by the Memoranda of Understanding described in FOFs 49-50, and pursuant to the powers described in COLs ~~50 and~~ 53, Pacific should be required to provide UNE combinations to requesting telecommunications carriers whose interconnection agreements with Pacific provide for such combinations, in consideration of the compensation described COLs 47-49, for the remaining term of such agreements or as long as such agreements remain in effect.

55. Pacific should be required to provide UNE combinations to any requesting telecommunications carrier covered by COL 54 whose interconnection agreement with Pacific was entered into prior to January 25, 1999.

56. The Supreme Court's decision in *AT&T-Iowa* to reinstate the FCC's "pick and choose" rule may render moot the controversy about whether the prices, terms and conditions for UNEs should be set forth in tariffs.

57. Pending further clarification from the FCC, it appears that the documents ILECs may be required to file to comply with the "pick and choose" rule will be very similar in form and content to tariffs.

58. In view of the facts that (a) the FCC may revise or clarify the "pick and choose" rule in the near future, (b) many of Pacific's existing interconnection agreements will begin to expire at the end of 1999, (c) existing interconnection agreements must be available for public inspection pursuant to § 252(h) of the Telecommunications Act, and (d) the prices set forth in this decision are matters of public record, it is unnecessary and would not be a good use of the Commission's or the parties' resources to require the filing of tariffs or tariff-like documents at this time for UNEs.

59. Absent direction to the contrary from the FCC, this Commission does not intend to reexamine the TELRIC costs it has adopted for at least another three years.

60. The prices determined in this decision should serve as benchmarks for future UNE prices, even after expiration of the interconnection agreements into which these prices are being substituted pursuant to Resolution ALJ-174.

61. If, in any future interconnection agreement submitted to this Commission for arbitration pursuant to § 252(b) of the Telecommunications Act, an ILEC contends that a higher price for a UNE is justified than the price for such UNE set forth in this decision, the burden of proof shall be upon the ILEC to justify (within the timeframe and other rules required by the arbitrator) such higher price.

62. The imputation requirement set forth in D.89-10-031 and D.94-09-065 acts as a safeguard against anticompetitive ILEC behavior in two ways: (a) it ensures that the price of an ILEC's bundled competitive service recovers at least the cost of providing the service, thus preventing cross-subsidization, and (b) it prevents the ILEC from underpricing the bundled competitive service, which would harm competitors of the ILEC.

63. The "contribution" method of imputation described in D.94-09-065 is the algebraic equivalent of the original imputation formula set forth in D.89-10-031.

64. Because the contribution method of imputation is the algebraic equivalent of the original imputation formula, it would be appropriate to use the contribution method for setting price floors here, especially since the contribution method can fill in certain gaps in the TSLRIC and TELRIC costs that this Commission has adopted.

65. Setting price floors for the services here by taking the sum of the prices of all UNEs used in providing the service would result in price floors that include far more shared and common costs than are appropriate in a competitive environment.

66. Using the volume-sensitive portion of the TSLRIC of a service (plus contribution) to set the price floor for the service would allow the Commission to overcome the fact that the competitive and non-competitive components of the services at issue here have not been completely defined.

67. For the reasons set forth in COLs 63-66, the contribution method of imputation should be used in setting price floors for the services specified in FOF 60.

68. For the reasons set forth in FOFs 76-78, the tests advocated by Dr. Emmerson for detecting cross-subsidies in Pacific's services ~~should~~ not be relied upon. *need*

69. The risk of cross-subsidy in the price floors adopted herein will be reduced by starting with the TELRIC-based UNE price in computing contribution, since the TELRIC methodology assigns directly to network elements many costs that would be considered "shared" or "common" under the TSLRIC methodology.

70. The correct method of computing the contribution from MBBs to be imputed into Pacific's price floors is to subtract from the TELRIC-based price of each UNE found to be an MBB, the volume-sensitive portion of the TSLRIC of the MBB.

71. The price floor for each service at issue here should be set equal to the sum of (a) the contribution computed as set forth in COL 70, plus (b) the volume-sensitive portion of the TSLRIC for the service.

72. The test for determining what constitutes an MBB should be considered the same as for determining what constitutes an "essential facility" under antitrust law; *i.e.*, the economic infeasibility for the competing carrier of duplicating the essential facility practicably or reasonably, whether through purchase or self-provision.

73. It is clear under *AT&T-lowa* that not all of the UNEs set forth in FCC Rule 319 can be considered MBBs.

74. D.96-03-020 does not hold that all of the UNEs set forth in FCC Rule 319 should be considered MBBs.

75. This Commission has never ruled that all of the UNEs set forth in FCC Rule 319 should be considered MBBs.

76. Those parties arguing that Pacific is improperly seeking recategorization of services in its price floor testimony appear to be confusing imputation with categorization.

77. It would not be appropriate to delay setting price floors until after the FCC has reconsidered the list of UNEs currently set forth in Rule 319.

78. At the present time, the loop should be considered an MBB for purposes of determining imputation via the contribution method.

79. In view of our decision in D.98-02-106 not to adopt geographically-deaveraged costs or prices for UNEs, and our decision herein not to adopt the AT&T/MCI proposal for a surcredit on loops financed through the CHCF-B, the geographically-deaveraged price floors advocated by Pacific, which depend on a determination of whether or not the loop is essential in a particular geographic area, should not be adopted.

80. ~~At the present time,~~ switching should be considered an MBB for purposes of determining imputation via the contribution method.

81. Contribution from switching minutes-of-use should not be imputed into the three access line services at issue here (i.e., 1 MB, 1 FR and 1 MR), because switching minutes-of-use are already imputed into Pacific's toll price floors.

82. At the present time, white page listings should be considered an MBB for purposes of determining contribution for the 1 MB, 1 FR and 1 MR services.

83. None of the other UNEs set forth in FCC Rule 319 should be considered an MBB.

84. The determination in COL 82 is not intended to prejudice any of the issues being considered in the Local Competition proceeding about the price to be charged pursuant to § 222(e) of the Telecommunications Act for providing directory listings to third-party publishers.

85. The price floor formula set forth in COL 71 should be used by Pacific in the future whenever it proposes a price floor for a newly-recategorized Category II service, or for a customer-specific contract or express contract pursuant to the procedures outlined in D.94-09-065 (56 CPUC2d at 238-242).

O R D E R

IT IS ORDERED that:

1. The monthly recurring prices for unbundled network elements (UNEs) offered by Pacific Bell (Pacific) that are set forth in Appendix A to this decision satisfy the requirements of Sections 251(c)(2), 251(c)(3), and 252(d)(1) of the Telecommunications Act of 1996 and are hereby adopted.
2. The non-recurring charges associated with the UNEs offered by Pacific, which charges are set forth in Appendix B to this decision, satisfy the requirements of Sections 251(c)(2), 251(c)(3), and 252(d)(1) of the Telecommunications Act of 1996 and are hereby adopted.
3. Pursuant to Commission Resolution ALJ-174 (adopted June 25, 1997), Pacific and all parties that have entered into interconnection agreements with Pacific reached through arbitration by this Commission, shall substitute the monthly recurring UNE prices set forth in Appendix A, and the non-recurring charges set forth in Appendix B, for the interim UNE prices and non-recurring charges set forth in such interconnection agreements.
4. Pacific and all parties that have entered into interconnection agreements with Pacific reached through arbitration by this Commission shall use the illustrative examples of UNE combination situations set forth in Appendix C to determine the appropriate UNE combination charges that should supersede, pursuant to Commission Resolution ALJ-174, the interim UNE combination charges set forth in such interconnection agreements.
5. The price floors for the Pacific services set forth in the Compliance Reference Document (CRD), a redacted version of which is attached to this decision as Appendix D, satisfy the requirements of Decision (D.) 89-10-031, D.94-09-065, D.96-03-020 and this decision with respect to price floors and are

hereby adopted. The unredacted version of the price floor CRD shall be made available only to parties with whom Pacific has entered into a nondisclosure agreement consistent with the terms of the November 16, 1995 Administrative Law Judges' Ruling in this docket.

6. Within 20 days after the effective date of this order, Pacific shall submit to the Commission's Telecommunications Division (TD) for its approval, and shall serve upon all parties to this proceeding, an advice letter consistent with General Order (G.O.) 96-A that contains Total Element Long Run Incremental Costs (TELRICs) for 800 database queries and Line Identifier Database (LIDB) queries, as required by Conclusion of Law (COL) 37 of this order. Upon the request of TD, Pacific shall produce workpapers that show how it has derived these TELRICs, and shall serve such workpapers on those parties to this proceeding who request them. This advice letter shall be subject to protest in accordance with G.O. 96-A.

7. Pacific shall commence preparing loop conditioning cost studies based on the TELRIC methodology, and shall submit such studies for review in such proceeding(s) as the Commission, any Commissioner or any assigned Administrative Law Judge shall direct.

8. Pursuant to COLs 54 and 55, Pacific shall continue providing combinations of UNEs to any party with whom Pacific entered into an interconnection agreement reached through arbitration prior to January 25, 1999 that required Pacific to provide such combinations. This obligation to continue providing UNE combinations in accordance with the terms of such interconnection agreements (as modified by Ordering Paragraph 4) shall continue for the remaining term of any such interconnection agreement, or for as long as such interconnection agreement remains in effect.

9. In the event that an interconnection agreement involving Pacific is submitted to this Commission for arbitration pursuant to § 252(b) of the Telecommunications Act, and Pacific claims that a higher price than the price adopted in this decision is justified for any UNE covered by this decision, the burden of proof shall be upon Pacific to establish, within the timeframe and other rules set by the arbitrator, that such higher price is justified.

10. When proposing price floors in the future for services that have been newly recategorized as Category II services, or for customer-specific contracts or express contracts pursuant to the procedures outlined in D.94-09-065 (56 CPUC2d at 238-242), Pacific shall use the price floor formula set forth in COL 71.

11. The August 3, 1998 motion of AT&T Communications of California, Inc., AT&T Local Services on behalf of TCG Los Angeles, TCG San Diego, and TCG San Francisco (collectively, AT&T), and MCI Telecommunications Corporation (MCI) to file one business day late the redacted version of the joint AT&T/MCI reply brief, is hereby granted.

12. 7 Pacific shall have 120 days from the effective date of this decision to implement the new prices and other requirements ordered herein.

Existing price floors shall remain in effect until new price floors consented pursuant to this decision are established.

12. The August 5, 1998 motion of Cox California Telcom II, L.L.C. to file its reply brief one business day late, is hereby granted.

This order is effective today.

Dated _____, at San Francisco, California.

-

Appendix B



February 9, 1999

RECEIVED FEB 9 1999

BY COURIER

Lawrence E. Strickling, Esq.
Chief
Common Carrier Bureau
Federal Communications Commission
1919 M Street, N.W., Room 500
Washington, D.C. 20554

Dear Mr. Strickling:

This responds to your request for confirmation of SBC Communications Inc.'s position on the provision of network elements following the U.S. Supreme Court decision in Iowa Utilities Board. We understand the industry faces a period of potential uncertainty in light of the vacation of Rule 319. Accordingly, in an effort to assist the Commission and the industry, SBC makes the following commitment during this interim period.

Notwithstanding the Supreme Court's vacation of Rule 319, which identified what network elements should be made available by ILECs, SBC will continue to provide network elements in accordance with its existing local interconnection agreements until the parties mutually agree to alternative provisions or alternative provisions are approved through the regulatory and judicial process. However, in the event other parties to our existing interconnection agreements attempt to invalidate these agreements based upon Iowa Utilities Board, we reserve the right to respond as appropriate without regard to this commitment. Furthermore, pending the Commission's proceeding on remand regarding network elements, SBC will continue to negotiate in good faith with any party seeking to enter into a new local interconnection agreement.

If you have any questions, please call me.

Sincerely,

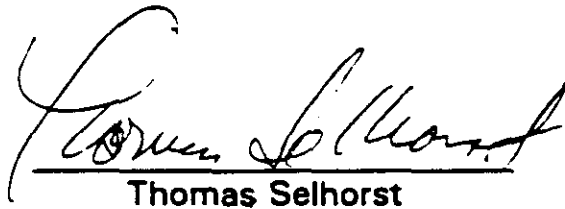
Dale (Zeke) Robertson
Senior Vice President
SBC Telecommunications, Inc.

Sandy Kinney
President-Industry Markets
SBC Telecommunications, Inc.

CERTIFICATE OF SERVICE

I, Thomas Selhorst, hereby certify that I have this day caused a true and correct copy of the original OPENING COMMENTS OF PACIFIC BELL (U 1001 C) ON PROPOSED DECISION OF ALJ MCKENZIE DATED MAY 10, 1999 to be served by mail to the following parties on the attached service list.

Dated this 4th day of June, 1999, at San Francisco, California.



Thomas Selhorst

PACIFIC BELL
140 New Montgomery Street
San Francisco, CA 94105

Hurst/W. Ettinger, Esqs. ♦
ET Communications of Calif.
Folsom Street, Room 670
San Francisco, CA 94107

Robert B. Alexander, Jr.
620 "L" Street
Davis, CA 95616

Richard Strauss
All Utilities Auditing Company
1820 Park Newport, Suite 209
Newport Beach, CA 92660

McAllister
All Corporation
Allied Drive
Rock, AR 72202

Lee Burdick, Esq. ♦
Prima Legal Services
2317 Broadway, #350
Redwood City, CA 94063

Rick Emmerson ♦
Emmerson and Associates
445 Marine View Avenue
Suite 310
Del Mar, CA 92014

L. Clark, Esq. ♦
Lin, MacBride, Squeri, Schlotz & Ritchie, LLP
Sansome Street, Suite 900
San Francisco, CA 94111

C. Simpson ♦
Department of the Army
901 North Stuart Street
Arlington, VA 22203-1837

Robert Munoz
WorldCom, Inc.
225 Bush Street, Suite 1900
San Francisco, CA 94104

Taff-Rice, Atty. ♦
s, Wright & Tremaine
Embarcadero Center, 6th Floor
San Francisco, CA 94111

Cynthia Walker ♦
California Cable Television Assn.
4341 Piedmont Avenue, P.O. Box 11080
Oakland, CA 94611

Thomas Corr, Esq.
1654 Lincoln Street
Berkeley, CA 94703F

inia J. Taylor, Atty. at Law ♦
Department of Consumer Affairs
R Street, Suite 3090
r o, CA 95814-6200

Randall M. Ward ♦
Eagan & Ward
1024 10th Street, Suite 300
Sacramento, CA 95814

Andrew O. Isar
4312 92nd Avenue, N.W.
Gig Harbor, WA 98335

ative Director
omia Payphone Association
Clayton Road, #213
ard, CA 94520

Peter A. Casciato, Atty. at Law ♦
Law Offices Of Peter A. Casciato
8 California St., Suite 701
San Francisco, CA 94111

Ellen Deutsch, Atty. at Law
Citizens Utilities Co. of Calif.
P. O. Box 340
Elk Grove, CA 95759

Black/M. Schreiber, Esqs. ♦
er, White and Cooper
California St., 17th Floor
San Francisco, CA 94111

Elaine Lustig, Atty. at Law ♦
GTE California Incorporated
One GTE Place, CA500LB
Thousand Oaks, CA 91362-3811

Martin A. Mattes, Esq. ♦
Nossaman, Guthner, Knox & Elliott,
50 California Street, 34th Floor
San Francisco, CA 94111-4799

Wonnell
Area Teleport
Grand Ave. Suite 2000
and, CA 94612-3749

S. Bowen/C. Mailloux, Esqs. ♦
Blumenfeld and Cohen
4 Embarcadero Center, Suite 1170
San Francisco, CA 94111

Gary M. Cohen, Atty. at Law
Blumenfeld and Cohen
1615 M St., Suite 760
Washington, D.C. 20036

les Tievsky, Regulatory Attorney
e & Wireless Communications
r ows Road
n A 22182

Alan Pepper, Esq.
Mitchell, Silberberg & Knupp
11377 West Olympic Boulevard
Los Angeles, CA 90064

Mary E. Wand ♦
Morrison & Foerster
425 Market Street
San Francisco, CA 94105-2482

Earl Selby ♦
Offices Of Earl Nicholas Selby
Florence St., Ste. 200
Alto, CA 94301

A. Pongracz, Esq.
Sprint Communications Company
1850 Gateway Dr., 7th Fl.
San Mateo, CA 94404-2467

Michael Morris
Teleport Communications Group
One Bush St., Ste. 1350
San Francisco, CA 94104

William Lee
Teleport Communications Group
Teleport I, One Teleport Dr., Suite 301
Staten Island, NY 10311-1011

Thomas J. Long ♦
Toward Utility Rate Normalization
711 Van Ness Ave., Ste. 350
San Francisco, CA 94102

A. Kirk McKenzie ♦
Administrative Law Judge - CPUC
505 Van Ness Ave., Rm. 5041B
San Francisco, CA 94102

Israel Day, Atty. at Law
Lin, MacBride, Squeri, Schlottz & Ritchie, LLP
Sansome St., Suite 1140
San Francisco, CA 94111

David M. Wilson ♦
Young Vogl Harlick and Wilson
425 California Street., Ste. 2500
San Francisco, CA 94103

Roger P. Downes, Attorney at Law
2381 Morse Avenue
Irvine, CA 92714-6233

John Notsund ♦
North Civic Drive, Suite 210
Oak Creek, CA 94596

Karen Jones, Telecom ♦
CPUC
505 Van Ness Ave., Rm. 3-D
San Francisco, CA 94102

Lionel B. Wilson, Esq. ♦
CPUC-Legal Division
505 Van Ness Ave., Rm. 5026
San Francisco, CA 94102

James McVicar, Chief-Telecom ♦
CPUC
505 Van Ness Ave., Room 3200
San Francisco, CA 94102

**Jeffrey F. Beck, Karen Ackerman, & Jelisa
Bronfman ♦**
Beck & Ackerman
Four Embarcadero Center, Suite 760
San Francisco, CA 94111

Lester Wong ♦
CPUC
505 Van Ness Ave., Room 3203
San Francisco, CA 94102

Robert Feraru ♦
CPUC
505 Van Ness Ave., Room 5303
San Francisco, CA 94102

Barbara Ortega
CPUC
320 W. 4th Street
Suite 500
Los Angeles, CA 90013

Brad Barnum ♦
CPUC-Governmental Affairs
1227 'O' St., Suite 404
Sacramento, CA 95814

Edward M. Rindler, Esq. ♦
Attorney for Metropolitan Fiber Systems of California, Inc.
1000 15th Street, N.W., Suite 300
Washington, DC 20007-5116

Ellen Deutsch, Chief Counsel
Electric Lightwave, Inc.
8100 N.E. Parkway Drive
Vancouver, WA 98662

Thomas Bugbee
County of Los Angeles
P.O. Box 2231
Downey, CA 90242

John J. President
Telephone Company
Taylor Court
Albany, CA 95382-9599

Lupita Reyes
GTE California Incorporated
One GTE Place, CA500GCA
Thousand Oaks, CA 91362-3811

Helen M. Mickiewicz ♦
CPUC
505 Van Ness Avenue, Room 5131
San Francisco, CA 94102

Joseph S. Faber, Esq. ♦
AT&T Communications of Calif.
550 Folsom Street
San Francisco, CA 94102

Vaggoner/M.Trinchero/S.Greenwald
is Wright Tremaine
First Interstate Tower, 1300 S.W. Fifth Avenue
Portland, Oregon 97201

Dale Piiru ♦
CPUC- Office of Ratepayer Advocates
505 Van Ness Avenue, Room 4003
San Francisco, CA 94102

ALJ Jacqueline Reed ♦
CPUC
505 Van Ness Ave., Rm. 5006
San Francisco, CA 94102

Kalinsky ♦
IC- Office of Ratepayer Advocates
Van Ness Avenue, Room 5027
San Francisco, CA 94102

Dr. Marc Hellman
Oregon Public Utilities Commission
550 Capitol Street, NE
Salem, OR 97310

Rodney L. Jordon, Director
Regulatory & Gov. Affairs
Citizens Telecommunications Co. of CA
P. O. Box 496020
Redding, CA 96049-6020

Barbara L. Snider, Esq. ♦
Sens Communications
1 Freeport Boulevard, Suite 100
Brentwood, CA 95832

Terry L. Murray/Scott Cratty ♦
Murray & Associates
309 Westcliffe Circle
Walnut Creek, CA 94596

R.Schulteles, Mngg Director
Mission Telecommunications Corp
470 Taylor's Gap Road
Charlottesville, VA 22903-7618

John Henningson/F. Pinigis
Northern California Edison Co.
P. O. Box 800, Legal D
Fremont, CA 91770

Jacqueline R. Kinney, Esq.
Citizens Utilities of California
P. O. Box 340
Elk Grove, CA 95759-0340

Terry J. Houlihan/Gregory Bowling ♦
Mc Cutchen, Doyle, Brown & Enderse
Three Embarcadero Center
San Francisco, CA 94111

John Elsesser ♦
Natar & Elsesser LLP
Embarcadero Center, Suite #2420
San Francisco, CA 94111

Steven Gorosh, Esq. ♦
Northpoint Communications, Inc.
222 Kearny Street, Suite 400
San Francisco, CA 94108

Deborah S. Waldbaum ♦
Teleport Communications Group
201 North Civic Drive, #210
Walnut Creek, CA 94596

John Jones
AT&T Bell Information Services
Crow Canyon Road, Ste. 340U
Ramon, CA 94583

Michael J. Watson ♦
CPUC
505 Van Ness Ave., Rm. 3E
San Francisco, CA 94102

Alex L. Franco
GTE California Incorporated
711 Van Ness Avenue, Suite 300
San Francisco, CA 94102

Robert McGee, Regulatory Coordinator
Singing Assets Funding Service
Montgomery Street, suite 400
San Francisco, CA 94111

Leon M. Bloomfield, Atty at law
Young, Vogl, Harlick, Wilson & Simpson
425 California Street, Suite 2500
San Francisco, CA 94104

Jerry Varcak
Bank of America
P.O. Box 3700, Dept. 5856
San Francisco, CA 94137

Miller
Northern Telecom Inc.
Camino Ramon
Ramon, CA 94583

Linda Madrid & Morley Mendelson
Law Offices of Morley G. Mendelson
601 South Figueroa Street, Suite 3700
Los Angeles, CA 90017-5704

Douglas G. Bonner ♦
Swidler & Berlin, Chartered
3000 "K" St., NW, Ste. 300
Washington, DC 20007-5116

Israel W. Mowery
Attorney Counsel
South Communications, Inc.
P. O. Box 1025
Walnut Creek, CA 94596

Susan D. Rossi, Esq.
GTE Service Corporation
One GTE Place, CA500LB
Thousand Oaks, CA 91362-3811

George Guim ♦
CPUC, Office of Ratepayer Advocates
505 Van Ness Ave., 3rd Floor
San Francisco, CA 94102

Hand Lee ♦
C - Legal Division
Van Ness Ave.
San Francisco, CA 94102

ew W. Buffmire
ral Attorney - Sprint PCS
Main, 12th Floor
as City, MO 64112

E Guzman
nan, Gunther, Knox & Elliot LLP
ilifornia Street, 34th Street
rancisco, CA 94111-4799

ard Smith ♦
California Telecom, Inc.
Powell Street, Suite 865
yville, CA 94608

ita Harris
O.J. Antitrust Division
ommunications Task Force
H Street, NW, Suite 8104
i, DC 20530

v Khanna ♦
AD Communications Company
Bassett Street
Clara, CA 95054

W. Harrelson, Esq. ♦
MCI Telecommunications Corp.
201 Spear Street, 9th Floor
San Francisco, CA 94105

Ruth Day/Sandra Weiss
Prodigy Services Co.-Government Affairs Dept.
445 Hamilton Avenue
White Plains, NY 10610

R. Purkey/C.Matchett ♦
Sprint Communications Co. LP
1850 Gateway Dr., 7th Floor
San Mateo, CA 94404-2467

Dick Van Aggelen ♦
CPUC - Telecom Division
505 Van Ness Ave.
San Francisco, CA 94102

Kenneth Bates, Jr.
P.O. Box 30821
Santa Barbara, CA 93130

Robert J. Gloistein
Orrick, Herrington & Sutcliffe LLP
Old Federal Reserve Bank Bldg.
400 Sansome Street
San Francisco, CA 94111-3143

Richard C. Nelson
Director-Govt. Relations
AirTouch Communications, Inc.
1 California Street, 29th Floor
San Francisco, CA 94111

Timothy S. Dawson, Esq. ♦
Pacific Bell
140 New Montgomery Street,
Rm. 1507
San Francisco, CA 94105

Tim Sullivan ♦
Advisor to Commissioner Duque
California Public Utilities Commissio
505 Van Ness Ave., Room 5207
San Francisco, CA 94102

Marilyn Ash, Esq. ♦
MGC Communications, Inc.
3301 N. Buffalo Drive
Las Vegas, NV 89129

Bona Fide Request/Interconnection or Network Element Request Application Form

Date of Request

Requester Information

CLEC Name	_____	Type of Request
Address 1	_____	(Check one box only)
Address 2	_____	_____
City	_____	<input type="checkbox"/> BFR for UNE
State	_____	<input type="checkbox"/> BFR for LNP
Zip	_____	<input type="checkbox"/> Leased Facilities for
Contact Person	_____	Interconnection
Title	_____	<input type="checkbox"/> Other (Describe in General
Phone Number	_____	comments)
FAX Number	_____	
E-mail Address	_____	
		State for which
		Request is made: _____

Drawings and/or schematics that can help explain your request are very beneficial to answering your request in a timely manner.

General Comments/ Drawings :

Authorized Signature:

Title:

Bona Fide Request/Interconnection or Network Element Request Application Form**For New UNE Requests**

PLEASE BE AS SPECIFIC AS POSSIBLE - THE MORE COMPLETE THE REQUEST, THE FASTER THE REQUEST CAN BE PROCESSED. DRAWINGS OR SCHEMATICS, IF THEY CAN PROVIDE CLARITY TO YOUR REQUEST ARE VERY HELPFUL.

Provide a technical description of the requested element:

Location (Geographic area, CLLI, etc.)	Estimate of Demand/ Units	3 year forecast	Date Desired

Bona Fide Request/Interconnection or Network Element Request Application Form**Interconnection Requests**

PLEASE BE AS SPECIFIC AS POSSIBLE - THE MORE COMPLETE THE REQUEST, THE FASTER THE REQUEST CAN BE PROCESSED. DRAWINGS OR SCHEMATICS ARE VERY HELPFUL IN UNDERSTANDING YOUR REQUEST. NOTE: AT LEAST ONE SITE MUST BE A SERVING CENTRAL OFFICE.

Qty	Date Desired	Facility Type	Location A Site			Location B Site		
			CLLI	Street Address	City	CLLI	Street Address	City

Bona Fide Request/Interconnection or Network Element Request Application Form

**PLEASE BE AS SPECIFIC AS POSSIBLE - THE MORE COMPLETE THE REQUEST,
THE FASTER THE REQUEST CAN BE PROCESSED. DRAWINGS OR SCHEMATICS
ARE VERY HELPFUL IN UNDERSTANDING YOUR REQUEST.**

Request Comments:

Bona Fide Request/Interconnection or Network Element Request Application Form**This page for SBC Use Only**

Account Manager complete this section

Date Received	Method of Delivery	Received by
Time Received		Account Manager's Name:

For Leased Facilities requestsDoes Requester have a signed and filed interconnection agreement? ☐ (Yes if Checked)

If no, return the request until the agreement is signed and filed.

For UNE and Other RequestsDoes Requester have an approved interconnection agreement? ☐ (Yes if Checked)

If no, return the request until the agreement is approved.

Does interconnection agreement address the request for this facility or offering? ☐ (Check if Yes)

If no, why should we entertain the request now? (Only extraordinary circumstances will be accepted)

Account Manager - please forward to the Industry Markets Coordinator:

- Copies of all correspondence with CLEC regarding this request.
- Copy of the pages in the interconnection agreement that describes the manner in which the request should be handled

Industry Markets Coordinator:

Industry Markets Coordinator for BFRs complete this section

Method of Delivery:	Date Rcv'd from Acct Mgr:
Input into tracking database by:	CATS Tracking #:

Dallas and Houston, Texas

6-1-99 to 7-3-99

LEC Error Percentages	
% Provisioning Error against Orders Activated	13.56
% Not Working as Provisioned Against Order Activated	16.95
Total % of SWB Errors During Provisioning	30.51
MTRR (Average Downtime per Order for Tickets Only)	18.88

Los Angeles

7-18-99 to 7-31-99

LEC Error Percentages	
% Provisioning Error vs Orders Activated (Accounting for Every Provisioning Error)	17.28
% Not Working as Provisioned vs Orders Activated (Accounting for Every Provisioning Error)	6.17
Total % of LEC Errors During Provisioning (Provisioning Error and Not Working as Provisioned)	23.46
Total % of Orders that Experienced ANY LEC Caused Provisioning Problem vs Orders Completed	25.93
MTTR (Average Downtime per Order)	7.14

Dallas and Houston, Texas

7-4-99 to 7-17-99

LEC Error Percentages	
% Provisioning Error vs Orders Activated (Accounting for Every Provisioning Error)	29.41
% Not Working as Provisioned vs Orders Activated (Accounting for Every Provisioning Error)	33.82
Total % of LEC Errors During Provisioning (Provisioning Errors and Not Working as Provisioned)	63.24
Total % of Orders that Experienced ANY LEC Caused Provisioning Problem vs Orders Completed	47.06
MTRR (Average Downtime per Order)	7.80